



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,556	01/04/2001	Kim Toll	INTL-0529-US (P10829)	3715

7590 06/25/2004

Timothy N. Trop  
TROP, PRUNER & HU, P.C.  
STE 100  
8554 KATY FWY  
HOUSTON, TX 77024-1805

EXAMINER

BARNES, CRYSTAL J

ART UNIT	PAPER NUMBER
----------	--------------

2121

DATE MAILED: 06/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

24

**Office Action Summary**

Application No.

09/754,556

Applicant(s)

TOLL ET AL.

Examiner

Crystal J. Barnes

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 January 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 March 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The following is an initial Office Action upon examination of the above identified application on the merits. Claims 1-29 are pending in this application.

#### *Drawings*

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because

- reference number 42 in figure 3 is not mentioned in the specification (see page 9 line 25),
- reference number 14 is not mentioned in the details of figure 4 on page 10 lines 15-24, and
- reference number 68 on page 11 line 1 is not shown in figure 4.

Corrected drawing sheets, or amendment to the specification to add the reference character(s) in the description, are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c))

so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 18 recites the limitation "the portable processor based system" in the last line. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by  
USPN 6,178,443 B1 to Lin.

As per claim 1, the Lin reference discloses a method comprising: storing a user profile (see column 2 lines 11-13, "user preference information") for each of a plurality of users ("plurality of system users") on a first processor-based system ("repository computer 1"); and automatically creating a version of the profile (see column 3 lines 29-39, "new user preference information input") for use on the second processor-based system ("local computer 3").

As per claim 2, the Lin reference discloses automatically creating a version of the profile (see column 3 lines 54-57, "updated user preference information") in response to the user logging on (see column 3 lines 30-39, "service request") to the first processor-based system ("repository computer 1").

As per claim 3, the Lin reference discloses automatically creating a version of the profile (see column 3 lines 29-39, "new user preference information input")

for use on a portable processor-based system (see column 2 lines 23-25, "laptop PC").

As per claim 4, the Lin reference discloses automatically compiling a version of a user profile (see column 5 lines 28-31, "adding new bookmarks") for a web browser session ("Internet browser") and storing said profile at the end of said web browser session ("transmit updated as soon as user exits the application").

As per claim 5, the Lin reference discloses receiving an updated user profile (see column 5 lines 20-25, "locally updated user preference information") from the second processor-based system ("client-side synchronization agent 7").

As per claim 6, the Lin reference discloses a method comprising: storing a profile (see column 2 lines 25-33, "local user preference file 4") for the current user of a second processor-based system ("users of local computer 3"); updating said profile (see column 2 lines 25-33, "maintains user-specific preference information") based on the current user's activities (see column 5 lines 20-25, "locally updated user preference information") on the second processor-based system ("client-side synchronization agent 7"); and automatically forwarding the updated profile (see column 5 lines 20-25, "locally updated user preference information") to a first processor-based system ("repository computer 1").

As per claim 7, the Lin reference discloses automatically forwarding the profile (see column 5 lines 20-25, "locally updated user preference information") from the second processor-based system ("client-side synchronization agent 7") to the first processor-based system ("repository computer 1") before powering down the second processor-based system (see column 5 lines 11-15, "current user logs off of local computer 3").

As per claim 8, the Lin reference discloses storing a profile (see column 5 lines 25-27, "user preference updates") includes automatically compiling a web browser profile (see column 5 lines 28-31, "adding new bookmarks in an Internet browser") based on activities of the user ("user changes settings in a particular application") on the second processor-based system ("local computer 3").

As per claim 9, the Lin reference discloses automatically receiving said user profile (see column 4 lines 60-63, "retrieve the most current user preference information") from a first processor-based system ("repository computer 1").

As per claim 10, the Lin reference discloses further including automatically receiving said profile (see column 3 lines 54-57, "updated user preference information") from said first processor-based system ("server-side

synchronization agent 6") in response to a log on (see column 2 lines 49-52, "powered up") to said first processor-based system ("repository computer 1").

As per claim 11, the Lin reference discloses automatically transmitting said user profile (see column 5 lines 20-24, "transmits locally updated user preference information") to a first processor-based system ("repository computer 1") in response to a command to power down (see column 3 lines 14-15, "current user logs off") said second processor-based system ("local computer 3").

As per claim 12, the Lin reference discloses an article comprising a medium storing instructions that enable a processor-based system to: store a user profile (see column 2 lines 11-13, "user preference information") for each of a plurality of users ("plurality of system users") on the processor-based system ("repository computer 1"); and automatically create a version of the user profile (see column 2 lines 25-32, "local user preference file 4") for use on a second processor-based system ("local computer 3").

As per claim 13, the rejection of claim 2 is incorporated and further claim 13 contains limitations recited in claim 2; therefore claim 13 is rejected under the same rationale as claim 2.



As per claim 14, the Lin reference discloses further storing instructions that enable the processor-based system (see column 5 lines 25-31, "repository computer 1") to automatically create a version of a web browser profile (see column 4 lines 60-67, "most current user preference information") in response to the user logging on ("user is logged in") to the processor-based system "repository computer 1") through the second processor-based system (see column 4 lines 44-46, "local computer 3").

As per claim 15, the rejection of claim 4 is incorporated and further claim 15 contains limitations recited in claim 4; therefore claim 15 is rejected under the same rationale as claim 4.

As per claim 16, the rejection of claim 5 is incorporated and further claim 16 contains limitations recited in claim 5; therefore claim 16 is rejected under the same rationale as claim 5.

As per claim 17, the Lin reference discloses an article comprising a medium storing instructions that enable a second processor-based system to: store a user profile (see column 2 lines 25-33, "local user preference file 4") for the current user of the second processor-based system ("users of local computer 3"); update said profile (see column 2 lines 25-33, "maintains user-specific preference

information") based on the current user's activities (see column 5 lines 20-25, "locally updated user preference information") on the second processor-based system ("client-side synchronization agent 7"); and automatically forward the updated profile (see column 5 lines 20-25, "locally updated user preference information") to a first processor-based system ("repository computer 1").

As per claim 18, the rejection of claim 7 is incorporated and further claim 18 contains limitations recited in claim 7; therefore claim 18 is rejected under the same rationale as claim 18.

As per claim 19, the rejection of claim 8 is incorporated and further claim 19 contains limitations recited in claim 8; therefore claim 19 is rejected under the same rationale as claim 8.

As per claim 20, the rejection of claim 9 is incorporated and further claim 20 contains limitations recited in claim 9; therefore claim 20 is rejected under the same rationale as claim 9.

As per claim 21, the rejection of claim 10 is incorporated and further claim 21 contains limitations recited in claim 10; therefore claim 21 is rejected under the same rationale as claim 10.

As per claim 22, the rejection of claim 11 is incorporated and further claim 22 contains limitations recited in claim 11; therefore claim 22 is rejected under the same rationale as claim 11.

As per claim 23, the Lin reference discloses a system comprising: a processor (see column 2 lines 2-5, "repository computer 1"); and a storage (see column 2 lines 11-13, "central user preference database 2") coupled to the processor ("repository computer 1"), the storage "central user preference database 2") storing instructions that enable the processor ("repository computer 1") to store a web browser profile (see column 2 lines 13-18, "URL bookmarks for Internet browsers") for each of the plurality of users (see column 2 lines 30-33, "larger population is users") of the system and automatically provide the web browser profile (see column 4 lines 60-67, "retrieves most current user preference information") for a user to a second processor-based system ("client-side synchronization agent 7").

As per claim 24, the Lin reference discloses a wireless interface (see column 2 lines 34-45, "wireless connection") to communicate ("communication link 5") with the second processor-based system ("local computers 3").

As per claim 25, the Lin reference discloses a system comprising: a processor (see column 2 lines 23-25, "local computer 3"); and a storage (see column 2 lines 25-28, "local user preference file 4") coupled to the processor ("local computer 3"), the storage "local user preference file 4") storing instructions that enable the processor ("local computer 3") to store a web browser profile ("maintains user-specific preference information") for the current user of the system, update the profile (see column 5 lines 21-22, "locally updated user preference information") based on the current user's activities (see column 5 lines 25-31, "user changes settings in a particular application") on the system, and automatically forward (see column 5 lines 21-22, "transmits") the updated profile to a second processor-based system ("repository computer 1").

As per claim 26, the Lin reference discloses said system is a battery powered system (see column 2 lines 23-25, "laptop computer").

As per claim 27, the Lin reference discloses said system communicates (see column 2 lines 34-36, "communication link 5") with said second processor-based system ("repository computer 1") using a wireless interface (see column 2 lines 37-45, "wireless connection").

As per claim 28, the rejection of claim 25 is incorporated and further claim 28 contains limitations recited in claim 25; therefore claim 28 is rejected under the same rationale as claim 25.

As per claim 29, the Lin reference discloses said storage stores instructions that enable the processor ("local computer 3") to automatically transmit said web browser profile (see column 5 lines 20-24, "transmits locally updated user preference information") to the second processor-based system ("repository computer 1") in response to a command to power down (see column 3 lines 14-15, "current user logs off") the processor-based system ("local computer 3").

### *Conclusion*

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art with respect to client/server applications in general:

USPN 6,393,462 B1 to Mullen-Schultz

USPN 6,272,545 B1 to Flanagan et al.

USPN 6,546,002 B1 to Kim

USPN 6,571,245 B2 to Huang et al.

USPN 6,549,217 B1 to De Greef et al.

USPN 6,701,362 B1 to Subramonian et al.

US Pub. No. 2002/0087632 A1 to Keskar

US Pub. No. 2002/0035618 A1 to Mendez et al.

US Pub. No. 2002/0065883 A1 to Lunsford

US Pub. No. 2002/0013832 A1 to Astala et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crystal J. Barnes whose telephone number is 703.306.5448. The examiner can normally be reached on Monday-Friday alternate Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 703.308.3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**Anthony Knight**  
Supervisory Patent Examiner  
Group 3600

cjb  
19 June 2004